

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

Civil Action No.: 1:23-cv-22148-DPG

ROSH CHODESH II LIMITED PARTNERSHIP, a Missouri limited partnership;
and JOSHUA HERMELIN, Successor Trustee on behalf of
the SNOW WHITE TRUST II UAD July 3, 2020.,

Plaintiffs,

v.

JAN S. WIMPFHEIMER, an individual;
MADISON GOLD, LLC, a Delaware limited liability company;
SCHWELL WIMPFHEIMER & ASSOCIATES, LLP, a Delaware limited liability partnership;
and EAST HUDSON CAPITAL, LLC, a Delaware limited liability company

Defendants.

**MADISON GOLD, LLC'S UNOPPOSED MOTION FOR EXTENSION OF TIME TO
FILE RESPONSE TO COMPLAINT**

Defendant, Madison Gold, LLC, by and through undersigned counsel, hereby moves for a fourteen (14) day extension of time until July 17, 2023, to file its response to Plaintiffs' Complaint, and in support, states as follows:

1. On June 9, 2023, Plaintiffs filed their nine-count complaint for damages and equitable relief. DE 1.
2. On June 12, 2023, Madison Gold, LLC was served with the complaint. DE 5.
3. On June 27, 2023, the undersigned law firm was engaged. On June 28, 2023, the undersigned law firm entered appearances on behalf of Madison Gold. DE 7-9.
4. Currently, Madison Gold's response to the complaint is due July 3, 2023.
5. Due to time constraints, other pending litigation, the upcoming holiday, and counsel's need to bring itself up to speed on this matter due to the breadth of the complaint—that

includes claims of fraudulent inducement, negligent misrepresentation, conversion, rescission of contract, FDUTPA, accounting, and constructive trust against Madison Gold—Madison Gold requests a fourteen (14) day extension to adequately prepare and file a response to Plaintiffs’ complaint.

6. As such, Madison Gold requests an extension until July 17, 2023, to file a response to Plaintiffs’ complaint.

7. Defendant’s counsel contacted Plaintiffs’ counsel via email on June 27, 2023, and Plaintiffs do not object to the requested relief.

8. This motion is made in good faith and not for the purpose of delay.

9. Federal Rule of Civil Procedure 6(b) permits the Court to extend its deadlines “for good cause” if the motion is made before the expiration of the deadline. For the reasons articulated above, good cause exists to grant Defendant Madison Gold’s request for extension of time to respond to Plaintiffs’ complaint.

WHEREFORE, Defendant Madison Gold, LLC respectfully requests that this Court grant the instant Motion and issue an Order extending Defendant’s time to file a response to Plaintiffs’ complaint until July 17, 2023.

L.R. 7.1(a)(3) Certification

I hereby certify that counsel for the defendant has conferred via email with counsel for plaintiffs regarding this motion. Plaintiffs do not object to this motion.

Dated: June 28, 2023

Respectfully submitted,

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CERTIFICATE OF SERVICE

WE HEREBY CERTIFY that on June 28, 2023 a true and correct copy of the foregoing document is being served this day via email to all counsel of record identified on the attached Service List associated with this action.

By: /s/ Jeffrey J. Molinaro
Attorney for Defendant

SERVICE LIST
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